

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
BEFORE THE HONORABLE EDWARD M. CHEN

CASIMIRO JOSE CANHA CAVACO DIAS, )  
 )  
Plaintiff, )  
 )  
vs. ) No. C 24-04471 EMC  
 )  
RULA NABIL KHOURY CAVACO DIAS )  
 ) San Francisco, California  
Defendant ) Friday  
 ) October 4, 2024  
 ) 1:30 p.m.

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**TRANSCRIPT OF ZOOM VIDEO CONFERENCE**

**APPEARANCES:**

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(APPEARANCES CONTINUED ON FOLLOWING PAGE)

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Official Reporter - US District Court  
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**APPEARANCES: (CONTINUED)**

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Friday - October 4, 2024

1:28 p.m..m.

P R O C E E D I N G S

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**THE CLERK:** This Court is now in session. The Honorable Edward M. Chen presiding.

The Court is calling the case Dias versus Dias, et al, Case Number 24-4471.

Counsel, please state your appearance for the record beginning with the petitioner.

**MR. MIN:** Richard Min, Green, Kaminir, Min and Rockmore, on behalf of petitioner Casimiro Dias. Good afternoon, Your Honor.

**THE COURT:** Good afternoon, Mr. Min.

**MS. DeLACEY:** Kelly Shindell DeLacey on behalf of petitioner, Casimiro Dias. My apologies for my voice.

**THE COURT:** All right. I can tell you're under the weather a little bit there.

**MS. DeLACEY:** Sorry about that.

**MR. DAVIS:** Thad Davis from Gibson Dunn for respondent. Good afternoon, Your Honor.

**THE COURT:** Good afternoon, Mr. Davis.

**MS. FLORES:** Hi. Rommy Flores from Gibson Dunn also for respondent Rula Dias.

**THE COURT:** All right. Thank you, Ms. Flores.

So we have an interesting situation where the parties'

1 positions have been, I believe, inverted by 180 degrees. And  
2 it's easy to invoke estoppel, I guess, but let me hear the  
3 merits.

4 So I don't know whether Mr. Min or Mr. DeLacey -- it seems  
5 like there's nothing surprising or new that's arisen in this  
6 case. If anything, the case is narrowed somewhat by the  
7 withdrawal of the mature children issue and now the production  
8 of documents.

9 So I know there are several hundred documents, but some of  
10 which you already had. It didn't seem like a huge number of  
11 documents and the nature of the grave risk defense has been  
12 sort of known from day one, so what's -- what's the problem  
13 here?

14 **MR. MIN:** Yeah. Your Honor, I mean, I think, yes,  
15 some of the issues have narrowed; but as counsel for respondent  
16 noted, September 10th we agreed to move forward with trial.

17 September 11th was the first time we received detailed  
18 allegations of the abuse that respondent has alleged had been  
19 going on for years; not simply the allegations from April 2024,  
20 which we had reason to believe which were denied and dismissed  
21 as a result of the proceedings in Armenia, but there were  
22 allegations going back several years with respect to the  
23 children in which -- with respect to Mrs. Dias.

24 Your Honor, I'm going to apologize. I'm recovering from  
25 pneumonia, so --

1           **THE COURT:** Goodness.

2           **MR. MIN:** -- if I'm coughing, I apologize. I'll try  
3 to mute myself with some coughs.

4           Truthfully, the underlying issue is really just the  
5 gravity, severity, the extent of these allegations, which, yes,  
6 we were made aware that there was going to be grave risk  
7 allegations, but the -- again, the gravity of these allegations  
8 were somewhat of a surprise to us.

9           We received the expert report on September 23rd. Our  
10 expert is obviously scheduled to interview the children or  
11 evaluate the children tomorrow and issue a rebuttal report  
12 Sunday.

13           I mean, the fact of the matter is simply we would like  
14 some more time to feel like we can adequately prepare. You  
15 know, I know counsel responded and doesn't believe that the  
16 mediation, like, has any bearing and, you know, generally we  
17 would agree; but we also believe that efforts to focus on  
18 mediation could be very fruitful in this matter. Not to say we  
19 can't walk and chew gum at the same time, but, you know,  
20 considering how much we have to do over the next several weeks.

21           I mean, there were 621, I think, exhibits that were  
22 proposed. We've spent the last couple days  
23 meeting-and-conferring. It's been whittled down to 524 from  
24 respondent's side.

25           This is just a significant amount. I've done many of

1 these cases, as Mr. Davis seems to allude to in his papers. I  
2 mean, I've never had a case where there was 500-plus exhibits  
3 proposed by respondent or on the other side.

4 So this is just an inordinate amount of work that we feel  
5 we have to prepare over the next couple weeks. Could we do it?  
6 Sure. We will do it if that's what the Court requests, but,  
7 you know, from our vantage point -- and this is petitioner's  
8 case -- we did want to expedite. We believe that, you know,  
9 this would be adequate amount of time. You know, upon further  
10 reflection and gathering more information, we believe that we  
11 can benefit from some additional time. That's essentially the  
12 essence.

13 **THE COURT:** Let me ask you to respond, since you  
14 didn't have a chance to file a reply brief, to the alternative  
15 suggestion of bifurcation; that we take the habitual residence  
16 issue first. That seems to be a threshold issue.

17 **MR. MIN:** Sure. I mean -- and I understand the logic  
18 of that. I mean, I do believe that the habitual residence  
19 issue to some extent is a little bit of a red herring in this  
20 case because ultimately, I mean, our case theory is that, you  
21 know, in April 2024 the children had one home in the entire  
22 world, which was in Armenia.

23 So this idea that there could be another habitual  
24 residence where the children never -- did not reside seems  
25 almost impossible to us.

1 The only alternate theory that could exist on habitual  
2 residence is that the children had no habitual residence, which  
3 is something that the U.S. Supreme Court in *Meenakshi* has  
4 disfavored as an outcome.

5 So, I mean, certainly that is legally a possibility, that  
6 the children have no habitual residence, but ultimately our  
7 contention is in April 2024, when the children were abducted,  
8 Armenia was their home. Their sole home in the entire world.  
9 Whether or not they were planning to be there for a year, five  
10 years, ten years in Armenia, the point is at that moment in  
11 time that was their only home.

12 And so the idea of bifurcating to some extent makes sense  
13 if we thought there was some sort of chance that -- or  
14 realistic chance or likelihood that the habitual residence  
15 outcome would, you know, ultimately end this case. We just  
16 don't believe that that's a strong likelihood at all and to  
17 that extent, we think that it wouldn't make sense to have two  
18 separate trials. It seems to make sense to have one trial  
19 because also as part of the habitual residence argument I  
20 presume that respondent will make allegations as to the state  
21 of the marriage, which is a factor in habitual residence  
22 determination. So that would overlap to some extent with the  
23 grave risk allegations.

24 So I'm not sure that there's a clear -- clean and clear  
25 bifurcation that can result from that.

1 As an alternative, we are open to that. I mean, we're not  
2 saying, no. That just doesn't seem to be our preference, and  
3 we don't think it makes sense for the Court, but --

4 **THE COURT:** Yeah. Let me explore with you, this --  
5 because the question that I asked is really kind of an overlap  
6 question, and how much judicial inefficiency would result from  
7 bifurcation. Because I don't want to have -- call witnesses,  
8 you know, multiple times and this sort of thing.

9 But the state of marriage -- explain to me why that's --  
10 how that comes into play and how that overlaps on both phases  
11 of the case.

12 **MR. MIN:** Sure. Because there is case law that if  
13 there's dysfunction or problems in the marriage when a move is  
14 made, that can go into shared intentions of the parties; right?  
15 Agreements of the parties, intentions of the parties, and we  
16 know to what extent those intentions should control.

17 Because, of course, if there's issues in the marriage,  
18 then that might, you know, impact in terms of what intentions  
19 the parties really had, right, or give contour or context to  
20 what those intentions were.

21 I also think, as Your Honor stated, I mean, there are  
22 going to be witnesses who are going to testify to both issues,  
23 habitual residence and grave risk issues, which means that  
24 they're going to have to be called multiple times.

25 **THE COURT:** Who would those witnesses be that will be



1 called multiple times?

2 **MR. MIN:** I mean, my understanding -- I mean,  
3 there -- I mean, I think -- if I go through respondent's  
4 Witness List, I assume that some of the family members are  
5 going to be called for multiple purposes. I believe they were  
6 listed for multiple purposes. I'd have to just double check on  
7 that.

8 We have witnesses that are friends of Mr. Dias, who are  
9 going to talk about their intentions, but also then talk about  
10 their observations of the marriage, about him as a father.  
11 That will go to the grave risk issue as well.

12 **THE COURT:** All right. Let me hear respondent's  
13 response, just on the judicial economy aspect of bifurcation.

14 I'm hearing that there may not -- there may be some  
15 judicial inefficiencies and inconveniences here.

16 **MR. DAVIS:** Okay, Your Honor. I'll reserve remarks  
17 on the other -- respectfully on the other issues.

18 **THE COURT:** Yeah, yeah.

19 **MR. DAVIS:** I think there's some things we would need  
20 to correct in fairness.

21 I hope it's obvious from the tone of our brief, we heard  
22 the Court, we put a compromise out. We tried to move things  
23 along.

24 But on the overlap, first of all, habitual residence is a  
25 gating issue. If they cannot prove -- the petitioner cannot

1 prove that it's Armenia -- it doesn't matter where else it  
2 might be or if it's nowhere. If they cannot prove it was  
3 Armenia, the case is over. Respondent wins.

4 To that effect, it's far from a red herring. We have just  
5 learned in documents produced yesterday and today that  
6 respondent's employment status there is -- runs out in a few  
7 weeks, has not been renewed. The representations to the Court  
8 about his employment status had been inaccurate. They are  
9 going to be amended and fixed.

10 So we had -- if he's not employed there, then nobody is in  
11 Armenia. So at that point it's not Armenia.

12 So it's a -- it's a separate threshold issue. It's a very  
13 objective set of facts. I think the main overlap would be  
14 petitioner and respondent. So we're not complaining about the  
15 timing of learning the true facts about his employment status.

16 It goes to -- and the reason those are the two main  
17 witnesses is it goes to the state of mind and intent. It has  
18 to be both spouses. And we -- we have produced evidence and  
19 received evidence that shows that it was always temporary in  
20 Armenia. Before petitioner even got to Armenia, he was looking  
21 for jobs elsewhere, in Copenhagen and other countries; anywhere  
22 but Armenia, Portugal. As soon as he landed on the ground,  
23 petitioner started doing other job interviews.

24 And just to touch a bit on the 500 documents. A lot of  
25 what we've had to produce, Your Honor, has been things which

1 should have been produced to us by petitioner. They were in  
2 his custody and control; about his employment status, his text  
3 messages, all the evidence of abuse. Those were not produced.  
4 We produced them.

5 So it's a little -- I mean, 500 documents, I think, in the  
6 scheme of things in this day and age is not a whole lot, but it  
7 certainly -- a lot of it was already in the custody and control  
8 and known to petitioner.

9 But back to my efficiency question. These new friends in  
10 Armenia that we may hear from, a few minutes by Zoom I assume,  
11 I don't know that they can speak to the fact that respondent  
12 put terms in their temporary -- they lived in three temporary  
13 houses in 16 weeks, and our client put into the lease that it  
14 could be stopped at any time, the lease, with no penalty. And  
15 there's just a lot of objective facts that are just documents  
16 of respondent and petitioner.

17 In terms of petitioner's counsel trying to inject overlap  
18 issues, I think the only sort of evidence of the abuse that we  
19 would think that would overlap would be relevant to -- to  
20 habitual residence would be that petitioner threw respondent  
21 out of the house; said leave, don't ever come back or terrible  
22 things were going to happen. That only goes to the fact that  
23 he didn't view her as intending to stay.

24 So I think this is a simple, crisp, you know, day and a  
25 half, two days, mainly based on documents, including his

1 employment contract that we finally got to the bottom of. And  
2 it's not a five-year term. It terminates in a few weeks unless  
3 it's renewed.

4 So this -- and then in terms of judicial efficiency, Your  
5 Honor, if the case ends, then we -- we're spared other trial  
6 days.

7 **THE COURT:** Right. But your point about his spouse  
8 being thrown out of the house and the state of sort of  
9 disrepair of the marriage, I mean, that is -- there is some  
10 overlap. Once you kind of get into that, you're starting to  
11 get into maybe not the full 9 yards, but several yards. So  
12 there is some overlap.

13 **MR. DAVIS:** I'd say it's about a half a yard, Your  
14 Honor.

15 I didn't think that -- the bulk of it is -- it's sort of  
16 -- their sort of movement history, his employment applications.  
17 These are all just black and white exhibits; their lease, his  
18 employment contract. The various things that suggest he  
19 probably will not be employed soon because he has rampantly  
20 violated WHO, W-H-O, conduct regulations.

21 But that's -- you know, this is his -- what I will say, it  
22 doesn't involve experts, doesn't involve the Armenian experts  
23 about whether it's a safe place for people suffering domestic  
24 violence. It does not involve the psychologist or Dr. Favaro,  
25 all the expert cases put off, and a lot of -- and, frankly, the

1 family, I -- our client's family, I don't see them testifying.

2 I mean, it's in black and white that the family moved all  
3 the time and never meant to stay there, including petitioner,  
4 so --

5 **THE COURT:** Tell me what your -- how many witnesses  
6 you would call for -- if we were to bifurcate, who would you  
7 call?

8 **MR. DAVIS:** I would probably just call respondent and  
9 petitioner.

10 **THE COURT:** Okay. And what about you, Mr. Min?

11 **MR. MIN:** We would likely call, obviously, the  
12 parties and maybe one or two other witnesses, friends who  
13 would -- had communications with them in terms of their  
14 intentions.

15 **THE COURT:** Well, I mean, there makes -- I'm usually  
16 not favorable to bifurcation because it seems to end up in  
17 the -- having more inefficiencies than efficiencies, but I can  
18 see some merit to it.

19 I understand petitioner's argument that their position is  
20 there's no merit to it, so you're not going to save any time  
21 anyway, but I can't prejudge that.

22 My concern is sort of the inefficiencies of having to kind  
23 of re-go over the same evidence or having people appear  
24 multiple times. That's certainly within -- give you a little  
25 more time on the -- the Dr. Favaro's report, on sort of the --

1 that goes to the grave risk issue, I think. Give you a little  
2 more time and then, you know, back and forth.

3 On the other hand, I also -- you know, I did set this  
4 date. I did set -- I cleared this.

5 The other thing I should tell you is that I don't have any  
6 availability because of my schedule until, it would probably be  
7 mid December when I could do either Phase 2 or this case. And  
8 then we're talking about a six-week delay, and I'm concerned  
9 given -- you know, ironically it's normally in the other  
10 direction. It's the petitioner's concern, but it might --  
11 given the -- the statutory policy of trying to expedite.

12 So I should tell you that up front. I can't just do --  
13 you know, it's not four weeks. It's going to be -- it would be  
14 December, I think it's like the 15th is the next clearing I  
15 have where I've got a couple days available.

16 **MR. DAVIS:** If I could be heard first?

17 **THE COURT:** Yeah.

18 **MR. DAVIS:** By mid December, I know myself and the  
19 lead colleague on this, are -- have other commitments already.  
20 That's -- and I guess that goes to, we're ready to try the  
21 whole case. We made ourselves ready. We cleared our  
22 calendars. We've incurred hard costs.

23 And, again, it's not just who is taking which position  
24 today. The statutory scheme, as you noted, Your Honor, as  
25 Mr. Min argued successfully in August, favors expedition. I

1 think a delay to that degree, it will probably end up being  
2 even later.

3 It's just -- there's just a lot of inefficiencies and  
4 prejudice to respondent and we're very -- and I think if we  
5 could get started -- in terms of mediation, I think we all know  
6 mediation tends to be more successful if there's a little bit  
7 -- if trial is imminent, and I think it's always a conversation  
8 between counsel before mediation, certainly after, to continue  
9 the conversation.

10 I don't -- maybe I don't share Mr. Min's skepticism. I  
11 have great confidence in his and our ability to do two things  
12 at once. So, but if we could proceed, Your Honor, I -- anyway,  
13 I respectfully thank you.

14 **THE COURT:** Okay.

15 **MR. DAVIS:** One other note -- sorry, Mr. Min, I  
16 apologize.

17 Given it may be in bifurcation that there be a friend of  
18 respondents that would need to be called to rebut whatever  
19 Mr. Min's new friends might say, but I -- if you forced us, we  
20 would -- you know, we could -- we'll try it with those two  
21 witnesses and the documents.

22 So, sorry. Apologies.

23 **THE COURT:** All right.

24 **MR. MIN:** Yes, Your Honor. Apologies.

25 We understand and we acknowledge I think the first thing

1 Your Honor said, which is sort of everyone's position is  
2 inverted 180 degrees, and it's completely true.

3 Again, I think we go back to the fact that it is typically  
4 petitioner that's pushing this case, and it's petitioner's case  
5 that he brought; right? And it's his rights there really, you  
6 know, what's being adjudicated to a large extent here.

7 So, you know, at the end of the day, I mean, it's  
8 petitioner that was asking for the expeditious resolution and  
9 it's petitioner now asking for additional time.

10 We are fine and we are prepared to work with counsel, with  
11 the Court, and with respondent's witnesses so that it's all  
12 convenient and available for them. And if that's December,  
13 it's December. If it's January, it's January.

14 And we've talked internally and our client understands  
15 that if we're asking for a continuance, that we have to be  
16 accommodating to the Court, to respondent's counsel's schedule  
17 and to their witness schedule, and we fully understand that.

18 We are not raising any arguments that this case is not  
19 expedited, and there's plenty of cases that have not resolved.  
20 And this was -- has been discussed in, you know, the time  
21 frame, and we weren't even working in the six-week time frame  
22 to begin with. And so another six weeks, another two months,  
23 you know, in the grand scheme of things in order to put forward  
24 the best case possible, and certainly to that extent, I mean,  
25 no one is going to be prejudiced by having more time to prepare



1 for trial. It's not going to harm anyone's case.

2 If anything, allow both parties a little bit better chance  
3 to put on the best case possible. We are willing to be  
4 completely flexible for everyone else.

5 **MS. FLORES:** Your Honor, my apologies, but petitioner  
6 does not get to dictate the timing of the matter. And our  
7 client actually, you know, is subject to an obligation based on  
8 the timing of this case. She has essentially put her life on  
9 hold so that she can defend against petitioner's accusations  
10 against her.

11 So to the extent that her due process rights as a  
12 defendant in this case are implicated, she should be able to be  
13 heard in court as soon as possible. We set a schedule.  
14 Mr. Min, who has been on the case since June 24th, agreed to  
15 it, and now saying he needs more time. We've been on the case  
16 for less than a month and we're ready to go.

17 **MR. MIN:** Your Honor, one additional thing I'd like  
18 to add, because Mr. Davis before talked about our client's job  
19 status and his contract, which we respectfully disagree with  
20 his representation and interpretation of that, but putting that  
21 aside.

22 I mean, even using Mr. Davis's representation of the  
23 contract, in a few weeks, you know, he says the contract  
24 expires. Well, in a few weeks, you know, we'll know then, you  
25 know, by November, December certainly, is he continuing to be

1 employed by the WHO. And that certainly would be a relevant,  
2 you know, factor and development if Mr. Davis is right that our  
3 client is no longer employed by the WHO, which we, again,  
4 contest.

5 But if that's what Mr. Davis is representing then, in a  
6 few weeks his contract expires and he's no longer working for  
7 the WHO and, therefore, has no connection to Armenia, that  
8 certainly would be a very important development in this case.

9 **MR. DAVIS:** If I could respond, Your Honor.

10 **THE COURT:** Okay. Briefly, and then I have a  
11 question. Go ahead, Mr. Davis.

12 **MR. DAVIS:** Again, as Ms. Conklin noted, respondent  
13 is -- and the defendant share here. She has rights too. She's  
14 been accused of abduction and so forth.

15 Again, it's a statutory scheme. I think the -- an  
16 opportunity to be heard, that's what the statutory scheme  
17 speaks of. It doesn't speak about your -- the best case  
18 possible.

19 In terms of not anyone being prejudiced, again, we -- our  
20 entire team cleared out our professional lives, set everything  
21 aside based and in reliance on Mr. Min's agreement to  
22 everything.

23 And his client -- Your Honor, the cliché is his client  
24 knew what he did last summer. He knew what he had done. He  
25 knew the texts he would send. He knew the audios that he had

1 left for people. He knew how he behaved.

2 And the Armenian proceeding has not been -- I mean, it's  
3 still on appeal. If it's -- if it was dismissed at all after  
4 successfully being restrained, it was because of procedural  
5 issues. But that's neither here nor there.

6 It certainly put him on notice that his conduct and all  
7 and so forth would be an issue. So it's just -- anyway, I  
8 apologize.

9 **THE COURT:** Let me ask you: What do you anticipate  
10 in terms of the pretrial filings that your -- whether it's --  
11 whether it's as had been ordered or -- on the 7th or it's a  
12 later date, what are we talking about in terms of -- what are  
13 the issues that are going to be -- that need to be resolved  
14 pretrial?

15 **MR. DAVIS:** For the full trial, Your Honor?

16 **THE COURT:** Yeah.

17 **MR. DAVIS:** Okay. Our meet-and-confer efforts on  
18 Motions in Limine, or at least our anticipating  
19 meeting-and-conferring will lead to success. I think there's  
20 not going to be any from either side.

21 I would have reserved on that, but I think a bench trial  
22 and just understanding your standing order and so forth at  
23 least, I think, none.

24 No -- we've been exchanging objections and Exhibit Lists  
25 and Witness Lists and so on. There may be some hearsay

1 objections that we received from petitioner's counsel. I fully  
2 intend we will work those out.

3 And I think given the procedural rules and the residual  
4 hearsay exception and so on, that's solvable.

5 So I don't see any evidentiary motions from respondent  
6 certainly. My colleagues can correct me if I'm getting -- if  
7 I'm too far afield.

8 **MS. FLORES:** That is correct.

9 **MR. DAVIS:** Yes. So I think motions, just a pretrial  
10 brief and -- and we see, we do the tech check and -- but if I'm  
11 missing anything, Ms. Conklin will correct me.

12 **MS. FLORES:** Nope.

13 **THE COURT:** All right. On your side, Mr. Min,  
14 Ms. DeLacey?

15 **MR. MIN:** Yes. I mean, generally we agree. We -- I  
16 know -- I don't think I was on it, but last week there was a  
17 meeting and confer, my colleague, and the expectation is that  
18 there would be no Motions in Limine. Obviously, Monday we have  
19 the joint pretrial -- pretrial conference statement, the  
20 pretrial brief, and then the proposed findings, conclusions of  
21 law, which we all expect to all file on Monday.

22 Yeah. I mean, otherwise I don't disagree with Mr. Davis.

23 **THE COURT:** Okay. All right. So here is what we're  
24 going to do.

25 I'm going to deny the motion to continue the trial. I'm

1 not going to bifurcate. I think we should go forward.

2 I understand that, you know, there's a fair amount of work  
3 to do, but in my view there should be nothing completely  
4 surprising.

5 There is a sort of policy and statutory interest in  
6 adjudicating this, not only because of the rights of both  
7 parties involved, including the respondent, but also the  
8 children. I think the longer things go on -- if there's going  
9 to be, for instance, an order bringing them back, I don't think  
10 it's to their advantage to have their current state prolonged.  
11 And so there are a lot of reasons why I think the -- the treaty  
12 and statutory log favors expeditious adjudication.

13 And we have moved -- I've moved my schedule around  
14 substantially to accommodate this case. And I just can't move  
15 it for four weeks. Sounds like can't move it to six or eight  
16 weeks. Because I've got another criminal case scheduled for  
17 early January, now we're talking about sort of late January,  
18 and that really is putting things out for a long time.

19 So I'm going to deny the motion to continue. What I will  
20 do is I can move the pretrial conference back a day, to the  
21 17th. I can move some of these disclosure dates, such as the  
22 rebuttal report and the pretrial filings, back by a couple  
23 days. So, you know, Dr. Favaro has a little more breathing  
24 space. He can file, for instance, by the 8th, and then your  
25 pretrial filings by the 9th. And that should give him time to

1 do the examinations and then put together his report in a  
2 meaningful way, give you all a little extra time to file.

3 I can hear the matter on the 17th at 9:00 o'clock, but we  
4 would keep the same trial date.

5 **MR. MIN:** Okay.

6 **THE COURT:** This way you get a little more breathing  
7 space, but, you know.

8 **MR. MIN:** Thank you, Your Honor.

9 Your Honor, can I clarify one thing --

10 **THE COURT:** Yeah.

11 **MR. MIN:** -- on the pretrial conference.

12 I -- because I didn't see it, I don't think, in the  
13 minutes order and then one of the scheduling orders made a  
14 statement about lead trial counsel. I had noted that I would  
15 be in Florida testifying on another case at the pretrial  
16 conference.

17 The last conference I believe you said it was okay for  
18 Ms. DeLacey, even though I'm lead trial counsel, to be handling  
19 the pretrial conference. Is that still okay?

20 **THE COURT:** Sure. Yes.

21 **MR. MIN:** All right. I mean, I would be able to  
22 appear via Zoom to the extent I'm able.

23 **THE COURT:** Yes. We'll hybrid so you can appear.

24 **MR. MIN:** Okay. Thank you. I just wanted to  
25 clarify. Appreciate that.

1 And I appreciate the new deadlines, Your Honor, and your  
2 consideration of this motion.

3 **THE COURT:** All right. Well, this is important. So  
4 let me -- we'll get out a minute order, some minutes, Vicky,  
5 with -- confirming these dates; but, hopefully, that will give  
6 you at least a little bit of breathing space, but I think it's  
7 important that we proceed.

8 I'm also hopeful that perhaps mediation will bear some  
9 fruit. So, obviously, I'm encouraging you all to give that a  
10 real chance. So you all are very experienced, so I'm sure it's  
11 in good hands in that regard.

12 **MR. MIN:** Thank you, Your Honor.

13 **THE COURT:** Okay. See you at the pretrial  
14 conference.

15 **MR. DAVIS:** Thank you, Your Honor.

16 **THE CLERK:** This hearing is concluded.

17 (Proceedings adjourned.)  
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CERTIFICATE OF OFFICIAL REPORTER

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

*Debra L. Pas*

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Debra L. Pas, CSR 11916, CRR, RMR, RPR

Wednesday, October 23, 2024